

- New Claims 26-39 substantially incorporates the subject matter in Claims 1-12, 23, and 24;
- New Claims 40-49 substantially incorporates the subject matter in Claims 13-21 and 25; and
- New Claim 50 substantially incorporates the subject matter in Claim 22.

Thus, in view of the additional claims and amendments, Claims 1-50 are currently pending in the application. Reconsideration and withdrawal of the rejections are respectfully requested in view of the following remarks.

I. Formal Matters

1. Applicant respectfully points out a matter of confusion with respect to the rejection to Claim 22 in view of cited U.S. Patent No. 6,490,521 to Wiener ("Wiener") and U.S. Patent No. 5,889,475 to Klosinski et al ("Klosinski"). The Office Action indicates that "*Wiener fails to disclose overriding vehicle audio entertainment systems and generating an audio signal on a vehicle audio entertainment system. However, the concept of overriding the vehicle AM/FM radio system and broadcasting emergency situation over the same is conventional in the art as taught in Klosinski.*" at page 7, lines 1-4. Applicant has reviewed Claim 22 and respectfully points out that Claim 22 does not include the limitation that the Office Action cites.

II. The Claims Define Patentable Subject Matter.

1. Claims 1-15 and 17-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by Wiener. Applicants respectfully traverse this rejection.

Applicant agrees with the Office Action that Wiener does not disclose "*overriding vehicle audio entertainment systems and generating an audio signal on a vehicle audio entertainment system*" at page 6, lines 4-5. Applicant also respectfully points out that Wiener does not disclose or teach "*a system controller that receives and converts a condition information signal and a position signal into a condition alert signal.*" Applicant has amended independent Claims 1 and 13 to include the

"overriding" limitation. Applicant has also made amendments to Claims 1 and 13 in order to clearly point out and claim the "*converted condition alert signal*" limitation.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. See MPEP §2131. Therefore, Claims 1 and 13 are in allowable form. Claims 2-12 and 14-15, 17-21, each depending directly or indirectly from Claims 1 and 13, respectively, are also in allowable form. Withdrawal of the rejection is respectfully requested. New Claims 26, 29-42, and 44-49, which substantially incorporates the subject matter in Claims 1-15 and 17-21, respectively, should also be in allowable form as well.

2. Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wiener in view of U.S. Patent No. 5,889,475 to Klosinski et al. ("Klosinski").

As indicated above, the Office Action admits that Wiener does not disclose the "overriding" limitation. To make up for the admitted deficiencies of Wiener, the Office Action indicates that "*However, the concept of overriding the vehicle AM/FM radio system and broadcasting emergency situation over the same is conventional in the art as taught in Klosinski*" (see: Office Action at page 5 lines 5-7). Applicant respectfully disagrees.

Klosinski's system arguably includes "*a transmitter...whose signal will override the existing AM and FM radio waves in the air for a short distance...approximately equal to one hundred yards*" (see: col. 3, lines 54-56 and col. 4, lines 58-61) that is only operable when a vehicle operator has a vehicle receiver tuned into an AM or FM frequency (see: col. 4, lines 26-29). Even further, it is *explicitly stated* in Klosinski's specification that the overriding feature "*will not work if accessory components are in operation such as tape and CD players*" (see: col. 4, lines 26-29).

Even if one skilled in the art were to combine Wiener's system with Klosinski's "overriding capability," the resulting system would not include "*a system controller that receives and converts a condition information signal and a position signal into a condition alert signal*" or "*an overriding provision for the indicator that is operable by said system controller in response to receiving said condition alert*"

signal,” as recited in amended Claim 1, nor, “overriding a vehicle indicator for indicating a current hazardous condition in response to a system controller receiving said condition alert signal by changing a power provision of the vehicle indicator,” as recited in amended Claim 13.

Because neither Wiener nor Klosinski discloses, teaches, or suggests the claimed invention in part or as a whole, the Office Action fails to establish a prima facie case of obviousness (See MPEP §2143). Thus, withdrawal of the rejection to subject matter previously included in Claim 16 is respectfully requested. For at least this reason, amended Claims 1 and 13 are in allowable form. Claims 2-12 and 14-15, 17-21, each depending directly or indirectly from Claims 1 and 13, respectively, are also in allowable form. New Claims 26, 29-42, and 44-49, which substantially incorporates the subject matter in Claims 1-15 and 17-21 should also be in allowable form.

Applicant also points out that Claim 16 has been amended to include a narrowing limitation for the “changing a power provision” that includes: powering on the indicator and generating an audio or video signal on the indicator. It is respectfully submitted that neither Wiener nor Klosinski discloses this feature. Therefore, Claim 16 should be in allowable form. New Claim 43, which substantially incorporates the subject matter in Claim 16 should also be in allowable form.

3. Claim 22 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wiener in view of Klosinski.

Considering the observation made in Section I, subsection 1., and the rejection to Claim 22 at page 6, lines 12-22, it appears that the Office Action did not address the “*said system controller indicating said overlay condition position signal on said video system and said audio system*” limitation recited in Claim 22. Wiener merely appears to disclose “*overlay(ing) the current position of subscriber unit 35 on the visual representation of the map. (and) (i)n other embodiments...weather information may be superimposed on the map.*” Applicant respectfully submits that this is not the same as an overlay condition position signal formed from a condition alert signal and a position signal, as recited in Claim 22. In view of this, Applicant has reviewed and is unable to locate the “*said system controller indicating said overlay condition*

position signal on said video system and said audio system" limitation in Klosinski either. Therefore, Applicant contends that Claim 22 is in allowable form.

4. For at least the reasons explained above in Section II., subsections 1-3, Applicant contends that remaining newly added Claims 23-24, 25, 27-28, and 45, each depending directly from Claims 1, 13, 26, and 40, respectively, are also in allowable form.

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited.

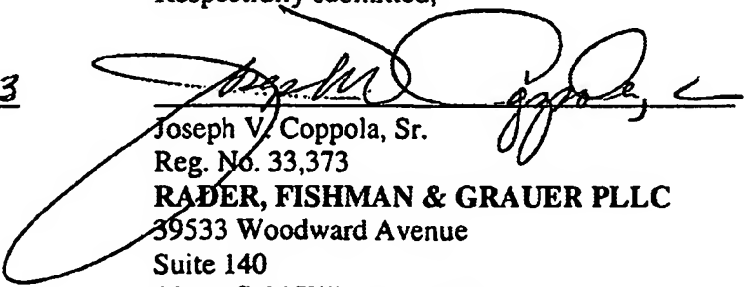
All rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

Any fees associated with the filing of this paper should be identified in any accompanying transmittal. However, if any additional fees are required, they may be charged to Deposit Account 50-0831 in the name of Delphi Technologies.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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MARKED-UP VERSION OF THE CLAIMS

1. (Once Amended) An alert system comprising:
a condition information receiver receiving condition data and generating a condition information signal in response to said condition data;
a position system receiver receiving position data and generating a position signal in response to said position data;
an indicator; and
a system controller electrically coupled to said condition information receiver, said positioning system receiver, and said indicator, wherein said system controller receives said condition information signal and, said said position signal for conversion into, and coupling a condition alert signal to wherein said converted condition alert signal is received by said indicator in response to said condition information signal and said position signal; and
an overriding provision for the indicator that is operable by said system controller in response to receiving said condition alert signal.

13. (Once Amended) A method of operating an alert system for a hazardous condition comprising:
receiving warning data corresponding to the hazardous condition;
receiving position data; and
converting the warning data and the position data into a condition alert signal;
overriding a vehicle indicator for indicating a the current hazardous condition
in response to a system controller receiving said condition alert signal by changing a power provision of the vehicle indicator warning data and said position data.

16. (Once Amended) A method as in claim 13 wherein changing a power provision of the vehicle indicator indicating a hazardous condition further comprises:
powering on the indicator overriding vehicle audio entertainment systems; and
generating an audio or video signal on the indicator a vehicle audio entertainment system.

17. (Once Amended) A method as in claim 16 wherein said generating an audio or video signal comprises audibly transmitting a signal formed from one selected from the following group: a prerecorded voice, a live voice, ~~and~~ a text to speech device, and a video image.